

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 04-17 Erie
	)	
GEORGE BILUNKA	)	

MOTION TO DESTROY FIREARMS AND AMMUNITION

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Marshall J. Piccinini, Assistant United States Attorney for said district, and respectfully moves this Court, pursuant to the All Writs Act, Title 28, United States Code, Section 1651(a) to enter an order authorizing Special Agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, to destroy certain firearms and ammunition seized from the defendant during the investigation of this case. In support thereof, the government alleges as follows:

1. That on or about May 11, 2004, defendant was indicted for violations of Title 18, United States Code, Section 2, and Title 26, United States Code, Sections 5861(d) and (e).

2. That on or about August 17, 2004, defendant entered a plea of guilty to possession of unregistered firearms, a violation of Title 26, United States Code, Section 5861(d).

3. That on or about December 6, 2004, defendant was sentenced to thirty-three months of incarceration.

4. That during the course of the investigation, the following weapons were seized from the defendant:

(a) anti-personnel device components (disassembled for safety), i.e. shotgun shell, wooden platform, firing pin;

(b) trigger housing, serial #02201;

(c) trigger housing, serial #00567;

(d) Sten Mark III submachine gun, serial #E37268;

(e) Norinco SKS assault rifle, serial #10200567;

(f) small sample of detonation cord, rendered safe;

(g) three pipes, each four feet in length, welded together to form a triple barrel; and

(h) metal end caps with 1 hole drilled into each.

5. That, as a result of defendant's felony conviction in the United States District Court for the Western District of Pennsylvania, it is unlawful for the defendant to possess any firearm<sup>1</sup> or ammunition<sup>2</sup> or to receive any firearm or ammunition, Title 18, United States Code, Section 922(g)(1).

WHEREFORE, as a result of defendant's felony conviction, it is respectfully requested that this Court enter an order

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<sup>1</sup> The term "firearm" means "(A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearms muffler or firearm silencer; or (D) any destructive device." 18 U.S.C. §921(a)(3).

<sup>2</sup> The term "ammunition" means "ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm." 18 U.S.C. §921(a)(17)(A).

authorizing Special Agents of the Bureau of Alcohol, Tobacco, Firearms, and Explosives to destroy the above-described firearms and ammunition.

Respectfully submitted,

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United States Attorney

s Marshall J. Piccinini  
MARSHALL J. PICCININI  
Assistant U.S. Attorney  
PA ID No. 56362